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Robert C. Heslin
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Susan E. Farley
Nicholas Mesiti
Philip L. Hirsman
Alexander H. Schiller
Wayne F. Reinke
Candice J. Clement
David P. Blumstein

*Patent Agent
100hr than NY Bar

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Attorneys at Law
3 Columbus Circle
Albany, New York 12203
Telephone: (518) 452-5600
Facsimile: (518) 452-5579
www.hrfarley.com

Kathy Smith O'Neil
Mary Louise Glavin
David A. Pizzarello
Victor A. Cardona
Lee Palmarese
John R. Rangel
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Brent M. Thorton
Jacqueline M. Furuta
James M. Syta

Manha L. Boden
Of Counsel

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Date: April 16, 2002

From: Wayne F. Reinke

No. of Pages: 3 (Including this Page)

Fax No.: 703-746-7249

To: Examiner Ella Colbert
Group Art Unit 2172
U.S. Patent and Trademark Office
Washington, D.C.

Re: U.S. Patent Application Serial No.: 09/286,043
Applicants: Schneiter et al.
Attorney Docket No.: 1634.001

Message: Attached hereto is a Request for Expungement (2 pages).

WFR:rys
Attachment

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Philip E. Hansen*
Blanche E. Schiller
Wayne F. Reinke
Candice J. Clement
David P. Miranda

*Patent Agent
†Other than NY Bar

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Attorneys at Law
5 Columbia Circle
Albany, New York 12203
Telephone: (518) 452-5600
Facsimile: (518) 452-5579
www.hrfmlaw.com

Kathy Smith Dias
Mary Louise Gioeni
David A. Pascarella
Victor A. Cardona
Lee Palmateer
John Pietrangelo*
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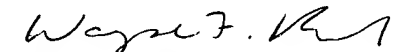
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Schneiter et al.
Serial No.: 09/286,043 Group Art Unit: 2172
Filed: 04/05/1999 Examiner: Colbert, E.
Title: DATABASE SEARCH IN DISTRIBUTED COMPUTER SYSTEM ON
 PORTION OF REMOTE DATABASE

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile transmission to: Examiner Ella Colbert, Group Art Unit 2172, United States Patent and Trademark Office, Washington, D.C. 20231, Facsimile No. (703) 746-7249, on April 16, 2002.


Wayne F. Reinke
Attorney for Applicants
Registration No.: 36,650

Date of Signature: April 16, 2002.

To: Assistant Commissioner for Patents
 Washington, D.C. 20231

REQUEST FOR EXPUNGEMENT

Dear Sir:

This paper is filed in reply to a Response to Appellants' Reply Brief mailed April 3, 2002, received from the Examiner in an appeal in the above-noted matter.

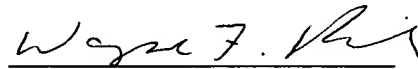
As set forth in 37 CFR 1.193(b)(1), in response to a Reply Brief:

... The primary examiner must either acknowledge receipt and entry of the reply brief or withdraw the final rejection and reopen prosecution to respond to the reply brief. A supplemental examiner's answer is not permitted, unless the application has been remanded by the Board of Patent Appeals and Interferences for such purpose.

Accordingly, as the Response to Appellants' Reply Brief was improperly issued, Appellants hereby request that the paper be expunged from the file prior to consideration by

the Board. In a phone conference with the Board on this date, Appellant's undersigned attorney was advised to request the same.

Moreover, Appellants request that the expungement and forwarding to the Board be done on an expedited basis, since Appellants' Appeal has been prejudiced in terms of the time it took to produce the Response to Appellants' Reply Brief, the attorney time and cost expended in contacting the Board and filing this Request, and the subsequent time for the Examiner to act thereon.



Wayne F. Reinke
Attorney for Applicants
Registration No.: 36,650

Dated: April 16, 2001.

HESLIN ROTHENBERG FARLEY & MESITI P.C.
5 Columbia Circle
Albany, New York 12203-5160
Telephone: (518) 452-5600
Facsimile: (518) 452-5579

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 Subject: [illegible]